

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

STEVEN BELL,

Plaintiff,

v.

Civil Action No. 3:24cv564

THE UNITED STATES, INC.,

Defendant.

MEMORANDUM OPINION

Plaintiff, a Louisiana inmate proceeding *pro se*, has submitted a “Writ of Assistance and Affidavit of Truth” asking to rescind his birth certificate. (ECF No. 1.) Plaintiff’s submission fails to comply with Federal Rule of Civil Procedure 8(a). That rule provides:

- (a) Claim for Relief.** A pleading that states a claim for relief must contain:
- (1)** a short and plain statement of the grounds for the court’s jurisdiction, unless the court already has jurisdiction and the claim needs no new jurisdictional support;
 - (2)** a short and plain statement of the claim showing that the pleader is entitled to relief; and
 - (3)** a demand for the relief sought, which may include relief in the alternative or different types of relief.

Fed. R. Civ. P. 8(a). Plaintiff fails to identify the basis for the Court’s jurisdiction or provide a short and plain statement of his claim. Accordingly, by Memorandum Order entered on August 21, 2024, the Court directed Plaintiff, within thirty (30) days of the date of entry thereof, to file a complaint that complies with Federal Rule of Civil Procedure 8(a). The Court explained that the failure to file an appropriate complaint within that time would result in dismissal of the action.

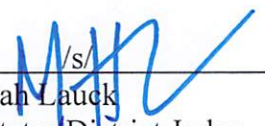
See Fed. R. Civ. P. 41(b).

Plaintiff has responded with an “Affidavit of Fact,” that complains mostly about his criminal prosecution in the Louisiana state courts and indicates that he rescinds his birth certificate. (ECF No. 3, at 4.) Although Plaintiff names “The United States, Inc.” as Defendant, his claims do not arise from any action of the United States. Plaintiff fails to explain why this federal court in Virginia, has jurisdiction over claims arising out of a Louisiana state criminal proceeding. Thus, the “Affidavit of Fact” fails to comply with Federal Rule of Civil Procedure Rule 8 and must be dismissed.

Accordingly, this action will be DISMISSED WITHOUT PREJUDICE.

An appropriate Order shall accompany this Memorandum Opinion.

Date: 10/28/2024
Richmond, Virginia



M. Hannah Lauck
United States District Judge